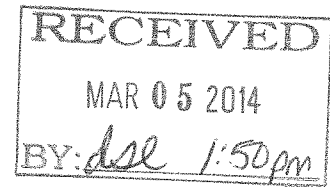


**Maine Learning Innovations
149 Falmouth Road
Falmouth, Maine**



March 5, 2013

Maine Charter School Commission
Cross Office Building, 5th Floor
111 Sewall St.
Augusta, Maine 04330

re: Application of Maine Learning Innovations, Inc. - Request for Reconsideration

To the Charter School Commission:

Maine Learning Innovations, Inc. (MLI) hereby requests that the Commission reconsider the vote to deny authorization of the proposal Maine Virtual Academy. As explained below, we believe the proposed Findings of Fact presented to the Commission contained errors and omissions from the application and interview process, which were directly relevant to the issues that were of concern to Commission members who voted to deny the application.

1. The proposed Findings of Fact omitted that the MEVA Board proposed to directly hire the teachers, instead of the education service provider.

The Commission's Request for Proposals for Virtual Charter Schools did not require the school board to hire teaching staff. Rather, the RFP only required the board to hire the chief executive officer and chief financial officer. Accordingly, MEVA proposed in its applications to follow these requirements, but did not propose that the MEVA Board hire the teachers. During the interview process, the review team compared the MEVA application with the application from Maine Connections Academy, in which the school proposed to directly hire the teachers.

After this discussion, the MEVA Board reconsidered whether it would also be willing to directly hire the teachers, rather than the ESP hiring the teachers. Consequently, the MEVA Board informed the Commission at the final interview and public hearing of its rationale for the ESP hiring the teachers, but also that it would be willing to directly hire the teachers if the Commission believes that this approach is needed for authorization. The transcript of the final interview on February 4, 2014 will indicate that Amy Carlisle made this specific statement to address this issue at the end of the interview. Further, responding to the direction of the Commission that the contract between the ESP and the Board could be submitted in draft form, instead of final; our Board did so for the very purpose of allowing for discussion of items like this during the approval process.

The proposed Findings of Fact on the MEVA application do not reflect this proposal, or the fact that the contract was specifically submitted in draft form to allow for such modification as

condition of approval. Much of the discussion during the Commission deliberation, including open door policies and anonymous hotlines, focused on the ability of the Board and Head of School to oversee issues that may arise with teachers at the school. We believe that had the Commission placed our offered change in the staffing model in the Proposed Charter Contract Requirements, this would have addressed these concerns and caused the Commission to act favorably on this application.

2. The Findings of Fact omitted that MEVA proposed to add an experienced school superintendent to the Board.

Some members of the Commission raised concerns about the capacity of the MEVA Board to manage the virtual charter school. There was discussion about what, if any contract provisions could be added to ensure board involvement. While members of the Commission recognized the quality of the MEVA Board, discussion based on the proposed Findings of Fact failed to recognize that the MEVA Board stated during the interview that they were in discussions with a former Maine school superintendent who is interested in helping establish MEVA. The MEVA board recognizes that board development requires ongoing assessment of board strengths. To that end, during the time of the final board interview, we were in the process of formalizing our relationship with Rich Abramson, a recently retired former Maine School Superintendent. Mr. Abramson is an experienced educational leader in Maine with over twenty years experience leading school districts in Maine and teaching in Maine colleges and universities. His knowledge of school leadership, instruction, finance and culture will be a critical voice in the success of our school. Mr. Abramson appeared at the public hearing and stated that he was in support of the MEVA application and was offering to assist the MEVA Board in any appropriate way. We believe that the presence and involvement of an experienced superintendent, in addition to the incredibly qualified board in place, would address the concerns about oversight and management of MEVA. Yet this fact was not included in the proposed Findings of Fact. See also attached letter from Rich Abramson.

3. The Findings of Fact omitted the time commitment of the MEVA Board in meetings with the Commission since its inception, and in developing applications to the Commission

There was much discussion in the Commission deliberations about the ability of the board to manage the school when several members were unable to be in attendance during the final board interview. At both board interviews, six out of seven board members were in attendance. Both interviews took place during active legislative sessions. During both interviews, two members had professional responsibilities in the legislature during the scheduled interview time. At our final interview, one additional member had a professional obligation in the legislature, and one member attended via the Internet due to winter travel conditions. While we regret that these conflicts occurred, the professional obligations of our board have not hindered our ability to move forward towards our stated goals. Our board members professional obligations are considered in the scheduling of our board meetings to optimize attendance and during the nearly two years that we have been a non-profit board, we have never failed to have a quorum for a vote. The concern voiced by the Commission that our board would be unable to manage the school due to members lack of attendance is unsubstantiated in fact.

The seven board members of the MEVA board have been together throughout all three MEVA charter applications submitted on May 29, 2012, Oct 31, 2012 and Dec 2, 2013. Six out of seven MEVA board members as well as the MEVA counsel have attended numerous Commission meetings over the past two years. The other virtual charter school applicant, approved yesterday, has only two board members who were included in all three of their charter applications in May 2012, Oct 2012 and Dec 2013. These board members are also the only two board members to our knowledge who ever attended a Commission meeting. We were disappointed during yesterday's meeting that the amount of time the MEVA board has spent together and our vast experience in working with the Department and the Commission seems to have either been misstated or overlooked.

4. The Findings of Fact made an error with regard to third party testing used by K12, Inc.

The proposed Findings of Fact stated that the ESP (K12) performance data in the application was based on "proprietary" Scantron system (see findings 3.a; 3.h; 4.g); rather than independent performance standards and data. However, the application includes information about the Scantron Performance Series that will be used by MEVA to track student learning growth and performance. Scantron is an independent company that administers computer adaptive testing, using its own standards and data to test students in school districts around the country. So not only is this data an independent source of information, it sets learning standards based on data from thousands of students around the country in a variety of school settings to establish learning norms. The data generated by Scantron is subject to audit by governing boards and authorizers. The suggestion that the ESP's performance data submitted in the MEVA application is proprietary data and not independent is false. This advanced testing system will be used by the MEVA Board to independently audit the performance of students, and likewise, it would be available to an independent third-party consultant to evaluate the execution of MEVA's education program.

5. The Findings of Fact made an error with regard to professional development of teachers.

The proposed Findings of Fact state:

7.g. The professional development of staff will be exceptionally limited by the proposed model of an all-virtual team with no regular, ongoing, in-person contact and collaboration; on-going collaboration, supervision and mentorship opportunities has been found to be an important element.

The MEVA application contains the following information that explains how professional development will be provided in many different ways including in-person contact and collaboration.

MEVA application page 11

MEVA within its model will provide new opportunities for teachers through leadership roles that still allow our best teachers to teach while taking on some administrative roles in developing the school. The instructional practices in our public charter school will be

models for school districts in Maine to replicate especially in the areas of creating individualized learning plans (ILPs), parent engagement, mastery of standards, focus on college and career readiness skills, web-based and in-person professional development, a detailed instructional model, creating value-added measures of student achievement, and providing successful intervention for students who are struggling.

MEVA application page 61

During the first week, teachers meet synchronously, covering topics included in the list above. During the second week, teachers work from their home environments, practicing the skills learned in the first week including familiarizing themselves with the tools of the Online School such as lesson planning and tracking student progress. In the final and third week, the teachers convene synchronously again as a group to review progress made, successes, challenges, and to address questions raised. At the end of the intake training each new teacher is also assigned a veteran teacher as a mentor to help support them as they transition to teaching in the virtual environment.

The Findings of Fact state:

7.h. The professional development program proposed is largely limited to training on the execution of the ESP's instructional model.

The MEVA application contains the following information that shows the breadth of the training that would be available to staff.

MEVA application page 61

Ongoing Professional Development (monthly)

Teachers enjoy the benefit of monthly online workshops which provide the opportunity for sharing best practices and team building as well as hearing presentations from curriculum experts. Topics covered include assessment, technology, instructional strategies, and content, for example, professional development sessions around student and even teacher misconceptions by subject. An online real-time presentation tool is used to facilitate professional development. This tool allows professional development to happen at a common time for everyone but eliminates travel costs in some cases as teachers can log in, interact with each other, and view presentations in a collaborative online environment. The flexibility of virtual teaching will allow the program's teachers to participate extensively in PD offered through K12 Academic Services division. Teachers will be sent the schedule of available PD sessions each month, and department chairs will be required to attend subject-specific professional development sessions on a regular basis, in addition to all program and state provided professional development.

MEVA page 234

Describe the school's professional development expectations and opportunities, including the following:

- **Identify the person or position responsible for professional development.**

The MEVA Director of Instruction will be responsible for overseeing professional development for MEVA administrative, instructional, and support staff. Among the

services to be provided by the education services provider, K12, are new teacher training and ongoing professional development for teachers and administrators. K12 has the capability to provide the professional development our teachers and administrators will need.

K12 professional development programs, both in-person and online, enable teachers to better utilize technology for instruction. According to both the International Association for K–12 Online Learning (iNACOL) and *Education Week*, K12 is the nation's leader in preparing teachers to teach online. K12 professional development programs, both in-person and online, enable teachers to better utilize technology for instruction. In the 2012-2013 school year alone, they provided support and professional development to 4,500 teachers teaching K12 math, English/language arts, science, history, music, art, World Languages, and elective courses in virtual and blended schools all across the country. In 2012-2013, they also provided professional development to the head administrators of more than 35 schools that K12 provided educational products and services to similar to the services proposed for MEVA.

• Discuss the core components of professional development and how these components will support effective implementation of the educational program. Discuss the extent to which professional development will be conducted internally or externally and will be individualized or uniform.

Maine Virtual Academy fully appreciates the benefits of and supports the need for ongoing professional development for all teachers and other staff, particularly in the areas of curriculum and instruction. Professional development opportunities will be a combination of K12's best practices and training along with required annual professional development for all teachers and other staff. Professional development will be a year-long pursuit focused on providing teachers with the skills and competencies to meet the needs of students and their families. Each teacher will have an Individual Development Plan (IDP) that is a combination of required professional development as deemed appropriate by their tenure or as identified by an administrator as an area where development is needed, and other optional offerings particular to their areas of interest. Teachers and staff will receive professional development on these and other topics, at various points throughout the year.

In sum, we believe the Findings of Fact misstate or overlook the variety and depth of professional development opportunities that have been developed over years of operating schools in other states.

6. There is precedent for Commission reconsidering votes on applications in the past.

The Commission has reconsidered votes taken on charter school applications. On July 17, 2012, the Commission reconsidered a vote taken on July 2, 2012 regarding the Cornville Regional Charter School. In that case, the school was even allowed to offer additional evidence into the record after hearing the concerns of the Commission.

MLI is not suggesting that the Commission re-open the record on this application to allow additional evidence. Rather, we are only requesting that the Commission consider evidence in the record that was not brought to light during the deliberations on the application.

Conclusion

MLI has been committed over the past few years to developing a high quality virtual education program through MEVA. The MEVA Board actively and consistently participated in the Commission process to develop its approach to these schools. While we felt our application met the letter and the spirit of the RFP, we have remained open to modify our approach through charter contract requirements to meet the concerns of the Commission. We believe the above corrections to the Findings of Fact reflect important aspects of the MEVA application and should be considered by the Commission. With these clarifications in mind, we ask the Commission to reconsider its decision to deny the MEVA application at its earliest opportunity.

Thank you for your attention, and we look forward to a positive response from the Commission.

Sincerely,

A handwritten signature in dark ink, appearing to read "Amy Carlisle", written in a cursive style.

Amy Carlisle
MEVA Board Chair